



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mahesh V. PATEL, et al  
Serial No.: 10/616,888      Group No.: 1625  
Filed: July 10, 2003      Examiner.: Patricia L. Morris  
For: ANTIBACTERIAL CYANO-(SUBSTITUTED)-  
METHYLENEPIPERIDINOPHENYL OXAZOLIDINONES TARGETING MULTIPLE  
RIBONUCLEOPROTEIN SITES

Attorney Docket No.: U 014705-6

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION ACTION

The Examiner has issued an Official Action requiring restriction between three groups of inventions. The groups identified by the Examiner are:

---

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- ☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.  
O. Box 1450, Alexandria, VA 22313-1450.

**37 C.F.R. 1.8(a)**

**37 C.F.R. 1.10\***

- ☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Address"  
Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office, to (708) 872-9306

Date: July 26, 2005

  
Signature

JANET I. CORD

*(type or print name of person certifying)*

**\*WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b).  
"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

Group I: Claims 1-6 and 11-16, drawn to compounds;

Group II: Claims 7-10, drawn to multiple processes; and

Group III: Claims 17-28, drawn to multiple uses.

Applicants respectfully traverse this restriction requirement.

However, in order to expedite prosecution, the claims of Group I are elected provisionally.

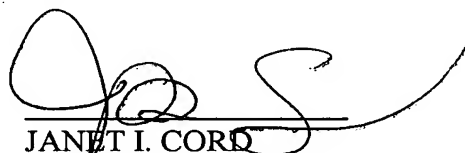
In response to the species election, the compound (S)-N-{3-[4-(4-cyanomethylidene-piperidin-1-yl)-3-fluorophenyl]-2-oxo-oxazolidin-5-ylmethyl}-acetamide which is the second compound of claim 6 is elected.

It is respectfully requested that the claims of Group III be searched with the claims of Group I because the use of novel and nonobvious compounds is also novel and nonobvious.

All rights to file one or more divisional applications directed to the subject matter of the nonelected claims and/or any other subject matter disclosed in the specification are preserved.

Applicants submit that the present application is in condition for allowance and favorable consideration is respectfully requested.

Respectfully submitted,



JANET I. CORD  
LADAS & PARRY LLP  
26 WEST 61ST STREET  
NEW YORK, NEW YORK 10023  
REG. NO. 33778 (212)708-1935